

Town Planning Committee Meeting

Minutes

Monday 1 December 2025

Commenced at 7:00 PM

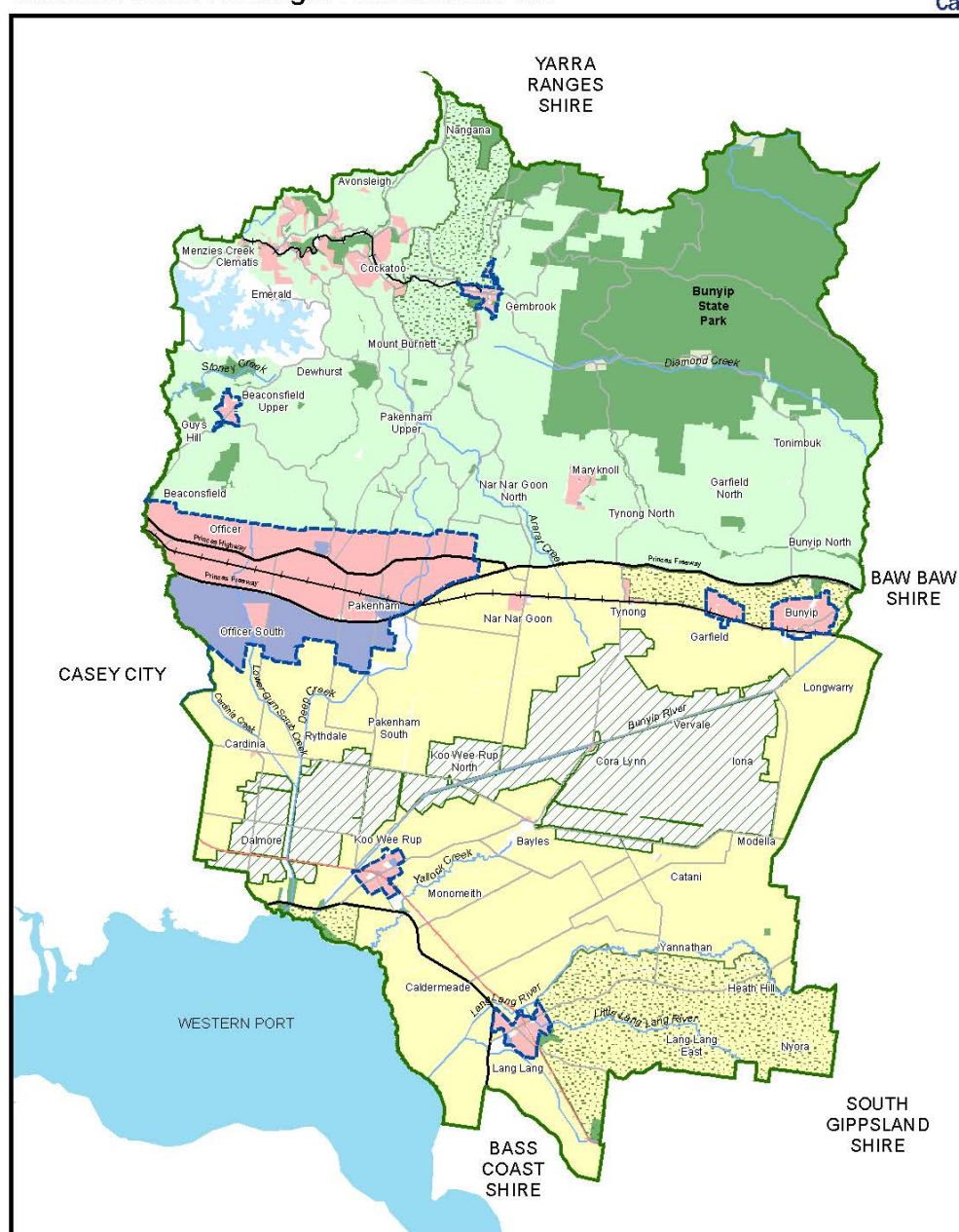
Council Chambers
20 Siding Avenue, Officer
Victoria

The Cardinia Shire Strategic Framework Plan (Figure 1) sets out the general pattern for land use and development to respond to the key influences and issues to achieve the strategic vision for the municipality.

The purpose of the framework is to provide an overview of land use in the Cardinia Shire and to identify locations where specific land use outcomes will be supported and promoted.

Figure 1:

Cardinia Shire Strategic Framework Plan



Printed: 24-Oct-18 Data Source: State & Local Government. © CARDINIA SHIRE COUNCIL

Members: Cr Brett Owen Mayor
Cr Liz Roberts Deputy Mayor
Cr Alanna Pomeroy
Cr Samantha-Jane Potter
Cr Casey Thomsen
Cr Collin Ross
Cr Jack Kowarzik
Cr Trudi Paton

Officers: James Collins Chief Executive Officer
Wayne Mack General Manager Corporate Services
Peter Harris Manager Governance, Safety & Property
Duncan Turner Manager Planning & Design
Natasha Berry Senior Governance Officer

Meeting opened at 7.00pm.

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1 Opening And Reflection

I would ask those gathered to join us now for a few moments of silence as we reflect on our roles in this chamber. Please use this opportunity for reflection, Prayer or thought, to focus on our shared intention to work respectfully together for the well-being of our whole community.

2 Acknowledgements

Cardinia Shire Council acknowledges that we are on the traditional land of the Bunurong and Wurundjeri people and pay our respects to their elders past, present and emerging.

3 Apologies

Cr David Nickell

Debbie Tyson, General Manager Community & Planning Services

4 Declaration Of Interests

Nil

5 Ordinary Business

5.1 T230646 PA - CONSTRUCTION OF TWO OR MORE DWELLINGS ON A LOT (SIX DWELLINGS) - 140 ARMY ROAD, PAKENHAM

Responsible GM:	Debbie Tyson
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	5. Responsible Leaders 5.4 Advocacy - We act as a proactive and powerful advocate for our community, influencing outcomes that improve and enhance quality of life, access to services and future opportunities for our residents.

Resolution

Moved Cr Kowarzik, seconded Cr Paton.

That Council resolves to issue a Notice of Decision to Grant a Permit for Planning Permit Application T230646 for the construction of two or more dwellings on a lot (six dwellings), subject to the following conditions:

Compliance with documents approved under this permit

- At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.

Approved and endorsed plans – changes required

- Before the development starts, plans must be approved and endorsed by the responsible authority. The plans must:
 - Be prepared to the satisfaction of the responsible authority;
 - Be drawn to scale with dimensions;
 - Be submitted to the responsible authority in electronic form; and
 - Be generally in accordance with the plans prepared by Ausplan Design Group forming part of the application and identified as Sheets 3 to 11 (inclusive), TP/23-12, revision 7, dated 18 July 2025, but amended to show the following details:
 - A semi-permeable timber fence along the Carey Crescent frontage, designed to be of a height and style that allows for visual permeability while maintaining privacy for the secluded private open space of Units 4 and 5.
 - Details, materials and height of all internal fencing.
 - A colours and materials schedule.
 - Location of lighting in accordance with Standard B3-3 of Clause 55.03-3.
 - An internal waste and recycling storage space for each dwelling in accordance with Standard B5-5 of Clause 55.05-5.
 - The external paved area of Unit 2 to be consistent with the landscape plan.
 - Any changes required in response to the Tree Management Plan.

Landscape Plan

3. Concurrent with the endorsement of plans required by Condition 2, an amended landscape plan must be prepared to the satisfaction of the responsible authority. The plan must be generally in accordance with the landscape plan prepared by Ausplan Design Group forming part of the application and identified as Sheets 15 to 16 (inclusive), TP/23-12, revision 7, dated 18 July 2025, but amended to show the following details:
 - a. Any changes required in response to Condition 1 or the Tree Management Plan.

Tree Management Plan

4. Concurrent with the submission of plans required by Condition 2, a Tree Management Plan must be prepared by a suitably qualified arborist and be submitted to and approved by the responsible authority. The Tree Management Plan must detail the following:
 - a. A structural assessment of all retained trees.
 - b. Identification of requisite tree protection zones.
 - c. Underground services must not encroach into the Structural Root Zone of any tree retained. Services should not be installed by open trenching but use boring/tunnelling if they pass through a TPZ and be at >1000mm depth.
 - d. Landscaping works (e.g. paving new turf) should not reduce the natural soil level >50mm within TPZs. Any landscaping works within the TPZs should be done by hand, and large roots (>50mm diameter) if encountered must be left intact.
 - e. Mulch the TPZ areas where possible with coarse mulch (e.g. composted wood chips 100mm deep), prior to heavy machinery entering the site.
 - f. Direction for management activities to improve the health of the retained trees over the long term.

Waste Management Plan

5. Before the development starts, a waste management plan must be approved and endorsed by the responsible authority. The waste management plan must:
 - a. Be prepared to the satisfaction of the responsible authority
 - b. Be submitted in electronic form
 - c. Include the following:
 - i. Details of bin storage and kerbside presentation arrangements for all dwellings.
 - ii. A dedicated bin presentation area along Army Road that accommodates a minimum of three bins per dwelling, allowing for simultaneous kerbside collection for all six dwellings.

The bin presentation area must be located clear of any obstructions and designed to the satisfaction of the responsible authority.

Drainage plans

6. Before the development starts, drainage plans must be submitted to and approved by the responsible authority. The plans must show the provision of a stormwater detention system. The stormwater detention system will become the responsibility of the property owner or body corporate to maintain to the satisfaction of the responsible authority.

Layout not altered

7. The layout of the development must not be altered from the layout on the approved and endorsed plans without the written consent of the responsible authority.

Development contributions

8. Prior to a building permit being issued under the *Building Act 1993* for the development approved by this permit, a financial contribution to the satisfaction of the responsible authority must be provided for the provision or augmentation of community infrastructure in accordance with the relevant approved Development Contribution Plan.

Parking and access

9. Before the development is occupied:
 - a. All proposed areas set aside on the approved plan/s for access, circulation and car parking must be constructed with concrete, asphalt or other approved hard surfacing material, drained and the parking areas delineated to the satisfaction of the responsible authority. Once constructed, these areas must be maintained to the satisfaction of the responsible authority.
 - b. A commercial/industrial standard concrete vehicle crossing/s as shown on the approved plans must be constructed to the approval and satisfaction of the Responsible Authority.
 - c. The parking spaces for visitor must be linemarked with wording 'Visitor' and be signed accordingly, to the satisfaction of the responsible authority.
10. All car parking spaces must be designed to allow all vehicles to drive forwards when entering and leaving the site.

Landscaping completion and maintenance

11. Within three (3) months of a Certificate of Occupancy being issued under the *Building Act 1993*, the landscaping works shown on the endorsed plan/s must be carried out and completed to the satisfaction of the responsible authority.
12. The landscaping shown on the endorsed plan/s must be maintained to the satisfaction of the responsible authority including replacing any dead, diseased or damaged plants.

Tree protection

13. Before the development commences (including demolition and earthworks), a tree protection fence must be erected around the existing street trees to be retained outside the canopy zone of the tree to define a "Tree Protection Area". The fence must be constructed of star pickets and chain mesh or similar to the satisfaction of the responsible authority. The tree protection fence must remain in place until construction is completed. No vehicular or pedestrian access, trenching or soil excavation is to occur within the Tree Protection Area without the written consent of the responsible authority. No storage or dumping of tools, equipment or waste is to occur within the Tree Protection Area. Any pruning that is required to be done to the canopy or roots of any tree to be retained is to be done with permission by Council's Arborist by a qualified arborist to Australian Standard – Pruning of Amenity Trees AS4373-2007.

Stormwater management

14. Before the development is occupied, the stormwater management/detention system must be constructed and commissioned to the satisfaction of the responsible authority.
15. Stormwater must not be discharged from the subject land other than by means of an underground pipe drain discharged to an outlet in the street or to an underground pipe drain to the satisfaction of the responsible authority.
16. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.

Earthworks and site management

17. Earthworks must be undertaken in a manner that minimises soil erosion. Exposed areas of soil must be stabilised to prevent soil erosion. The time for which soil remains exposed and unestablished must be minimised to the satisfaction of the responsible authority.
18. Sediment control measures must be undertaken during construction to the satisfaction of the responsible authority to ensure that the development subject land is adequately managed in such a way that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the stormwater drainage system.
19. The slope of batters, both cut and fill, must not exceed 2:1 (horizontal: vertical) or, where this is not practicable, batters must be stabilised by other means to the satisfaction of the responsible authority.

Amenity, Design & Services

20. All waste bins and residential waste must be stored within the specified bin storage area for each dwelling (or similar screened location) on an ongoing basis to the satisfaction of the responsible authority.
21. All pipes, fixtures, fittings vents, plant and equipment servicing any building on the site (excluding storm water down pipes, guttering and rain heads) must be concealed in service ducts or otherwise hidden from view to the satisfaction of the responsible authority.
22. Any external lighting must be designed, baffled and located so as to not detrimentally affect the adjoining land to the satisfaction of the responsible authority.
23. All utility services including water, electricity, sewerage, telephone and other telecommunication facilities for the proposed dwellings must be installed underground. All above ground meters must be located in a screened location to the satisfaction of the responsible authority.
24. Before the development is occupied:
 - a. Lighting must be provided near the front entrance and garage of each dwelling to the satisfaction of the responsible authority.
 - b. All screening and other measures to prevent overlooking as shown on the approved plans must be installed to the satisfaction of the responsible authority. Once installed the screening and other measures must be maintained to the satisfaction of the responsible authority. The use of obscure film or spray fixed to transparent glass is not acceptable as 'obscure glazing'.
 - c. The dwellings must be connected to a reticulated water supply, sewerage, drainage and underground electricity to the requirements of the relevant servicing authority.
 - d. Power and telephone lines to all new dwellings must be placed underground from the main point of service supplied by the relevant authority outside the boundaries of the subject land.
 - e. A bin storage area must be provided for each dwelling and must be located so as not to be detrimental to the visual amenity of the neighbourhood.
 - f. Mailboxes must be provided to the satisfaction of the responsible authority and Australia Post.
 - g. A clothesline must be provided for each dwelling and must be located so as not to be detrimental to the visual amenity of the neighbourhood.

Decommission of the Existing On-Site Wastewater Treatment System

25. Before the development is occupied, the existing on-site wastewater treatment system must be decommissioned to the satisfaction of the responsible authority. This includes:
- Cleaning out tank of water sludge.
 - Disconnecting pipework and electrical wiring.
 - Breaking in the tank or piercing holes in the base and filling with earth, sand or gravel.

Residential Reticulated Gas Service Connection

26. Any new dwelling allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.

Commencement of permit

27. This permit will operate from the issued date of this permit.

Expiry – Development

28. This permit as it relates to development (buildings and works) will expire if one of the following circumstances applies:
- The development is not started within 2 years of the issued date of this permit.
 - The development is not completed within 4 years of the issued date of this permit.

In accordance with section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

Notes

- A Building Permit may be required before the development commences. For more information, contact Council's Building Department or a Registered Building Surveyor.
- A 'Works Within Road Reserve' (WWRR) permit must be obtained from Council prior to commencement of any works within the road reserve.
- Development Engineering plans can be submitted via the following link: https://www.cardinia.vic.gov.au/info/20064/development_engineering_and_landscapes/1109/submit_subdivision_development_engineering_plans

For: Cr Kowarzik, Cr Owen, Cr Paton, Cr Pomeroy, Cr Potter, Cr Roberts and Cr Thomsen

Against: Cr Ross

Carried

5.2 PLANNING MATTERS DEALT WITH BY OFFICERS UNDER DELEGATED AUTHORITY - DECEMBER 2025

Responsible GM:	Debbie Tyson
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	5. Responsible Leaders 5.7 Governance - We maintain a high level of transparent, accountable, unbiased and representative governance.

Resolution

Moved Cr Roberts, seconded Cr Potter.

That Council notes the 'Planning Matters Dealt with by Officers Under Delegated Authority – December 2025' report.

For: Cr Kowarzik, Cr Owen, Cr Paton, Cr Pomeroy, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen

Against: Nil

Carried

5.3 PLANNING MATTERS VCAT REPORT – DECEMBER 2025

Responsible GM:	Debbie Tyson
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	5. Responsible Leaders 5.7 Governance - We maintain a high level of transparent, accountable, unbiased and representative governance.

Resolution

Moved Cr Pomeroy, seconded Cr Roberts.

That Council notes the 'Planning Matters VCAT Report – December 2025' report.

For: Cr Kowarzik, Cr Owen, Cr Paton, Cr Pomeroy, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen

Against: Nil

Carried

5.4 PLANNING SCHEME AMENDMENT ACTIVITY - NOVEMBER 2025

Responsible GM:	Debbie Tyson
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	<p>5. Responsible Leaders</p> <p>5.1 Customer focus - We deliver customer-centered service that is clear, accessible, and responsive.</p> <p>5.2 Engagement - We build trust and encourage participation in Council decision-making by providing ongoing opportunities for people to have their say, ensuring the diverse voices of the Cardinia community are heard and considered.</p> <p>5.7 Governance - We maintain a high level of transparent, accountable, unbiased and representative governance.</p>

Resolution

Moved Cr Potter, seconded Cr Thomsen.

That Council notes the 'Active Planning Scheme Amendments' report in Table 1.

For: Cr Kowarzik, Cr Owen, Cr Paton, Cr Pomeroy, Cr Potter, Cr Roberts, Cr Ross and Cr Thomsen

Against: Nil

Carried

6 Meeting Closure

Meeting closed at 7.35pm.

Minutes confirmed
Mayor